



**Underground Storage Tank (UST)
Certificate of Financial Responsibility**

2600 Bull Street, Columbia, SC 29201-1708

Date Received

State Use Only

Complete and return original form to the Department. Keep one copy at your UST site.

Submit completed form to:

Bureau of Land & Waste Management

Underground Storage Tank Program

SCDHEC

2600 Bull Street

Columbia, South Carolina 29201-1708

Telephone (803) 896-6240

Fax (803) 896-6245

I. Ownership of UST(S)

(Corporation, Individual, Public Agency, Other)

Mailing Address

City

State

Zip Code

Area Code

Telephone Number

Contact Person

II. Site Identification and Location

Permit #

Facility Name or Company Site Identifier

Street Address or State Road (as applicable)

City

State

Zip

County

III. Mechanism

Choose one or a combination of assurance mechanisms to demonstrate financial responsibility under Subpart H of the South Carolina Underground Storage Tank Control Regulations (SCUSTCR). Complete the chart for each mechanism selected. If you intend to use the state fund (#1), you must choose # 1 and one or more of the other assurance mechanisms (#s 2-8) for the required \$25,000.00 deductible.

Assurance Mechanisms	Name of Issuer	Amount of Coverage	Period of Coverage
<input type="checkbox"/> 1. State Fund (SUPERB)**	1. State	Use	Only
<input type="checkbox"/> 2. Self Insurance	2.		
<input type="checkbox"/> 3. Guarantee	3.		
<input type="checkbox"/> 4. Pollution Insurance or Risk Retention Group	4.		
<input type="checkbox"/> 5. Surety Bond	5.		
<input type="checkbox"/> 6. Letter of Credit	6.		
<input type="checkbox"/> 7. Trust Fund	7.		
<input type="checkbox"/> 8. Local Government Options	8.		

** If you intend to use the state fund (#1), you must choose # 1 and one or more of the other assurance mechanisms (#s 2-8) for the required \$25,000.00 deductible.

IV. Certification (Read and sign after completing entire submittal.)

1. Owner or operator (circle one) hereby certifies compliance with the requirements of Subpart H of SCUSTCR, part 280.

2. _____
Signature of owner or operator Date

3. _____
Name of owner or operator (type or print)

4. _____
Title

5. _____
Signature of witness or notary Date

6. _____
Name of witness or notary (type or print)

Important Information

The owner or operator must update this certification whenever the financial assurance mechanism(s) used to demonstrate financial responsibility change(s). A copy must be sent to the Department under the following circumstances: (1) you install a new tank system; (2) you have confirmed that there has been a release; (3) you change financial mechanisms; (4) the Environmental Protection Agency or the Department requests your records. No mechanism may require expenditure of funds from the SUPERB Account or the SUPERB Financial Responsibility Fund prior to exhausting that mechanism.

CERTIFICATE OF FINANCIAL RESPONSIBILITY

Underground Storage Tank Control Regulations

GENERAL INFORMATION

On May 24, 1985, the South Carolina Underground Storage Tank Control Regulations (SCUSTCR) became effective. The regulations provide for the development and implementation of a regulatory program for underground storage tanks (USTs) that store regulated substances. Revisions to these regulations concerning financial responsibility (Subpart H) became effective on September 22, 1995. A primary purpose for these revisions is to set forth specific requirements for demonstrating financial responsibility, since State and Federal regulations require owners and operators of USTs storing petroleum be able to pay for site rehabilitation and compensating third parties for releases from their system. In South Carolina, UST owners or operators may use the State Underground Petroleum Environmental Response Bank (SUPERB) Account to cover site rehabilitation costs and the SUPERB Financial Responsibility Fund to cover third-party claims. These two state assurance funds provide a combined maximum of \$1,000,000 per occurrence to cover these costs after payment of the deductible established by the SUPERB Act. If the owner and operator of an UST storing petroleum are separate persons, only one person is required to demonstrate financial responsibility; however, both parties are liable in the event of noncompliance. An owner or operator is no longer required to maintain financial responsibility for an UST after the system has been properly closed or, if corrective action is required, after corrective action has been completed and the system has been properly closed as required by the SCUSTCR. It is a violation of the SCUSTCR to not maintain financial responsibility for an UST system that has not been properly closed.

EXPLANATION AND DEFINITIONS

Complete DHEC Form 3472 if you are the owner or operator of an UST storing petroleum. Use one form per site. Please read the instructions carefully prior to completing the form. If, after reading these instructions, you are unsure whether this applies to you or if you have any questions, please contact the Bureau of UST Management at (803) 734-5331.

"Petroleum" includes crude oil or any fraction thereof that is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

"Underground storage tank" means any one or combination of underground enclosed containers (including underground pipes connected thereto) that is 10 percent or more beneath the surface of the ground. Excluded are:

- 1) farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
- 2) tanks used for storing heating oil for consumptive use on the premises where stored;
- 3) septic tanks;
- 4) pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under the state laws;
- 5) surface impoundments, pits, ponds, or lagoons;
- 6) storm water or waste water collection systems;
- 7) flow-through process tanks;
- 8) liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
- 9) storage tanks situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

"Owner" means:

- 1) In the case of an UST system in use on November 8, 1984, or brought into use after that date, a person who owns an UST used for storage, use, or dispensing of regulated substances;
- 2) In the case of any UST system in use before November 8, 1984, but no longer in use on that date, a person who owned such UST immediately before the discontinuation of its use; or
- 3) A person who has assumed legal ownership of the UST through the provisions of a contract of sale or other legally binding transfer of ownership.

"Operator" means any person in control of, or having responsibility for, the daily operation of the UST system.

INSTRUCTION FOR COMPLETING THE CERTIFICATE OF FINANCIAL RESPONSIBILITY

- I. Ownership of UST(s) - Enter the name, mailing address, and telephone number of the UST owner. Also enter the name of the contact person.
- II. Site Identification and Location - Enter the SCDHEC site identification number (site ID #), the name, and address of the facility where the USTs are located.
- III. Mechanism - Choose one or a combination of assurance mechanisms to demonstrate financial responsibility under Subpart H of the SCUSTCR. Complete the chart for each mechanism selected. If you intend to use the state fund (#1), you must choose # 1 and one or more of the other assurance mechanisms (#s 2-8) for the required \$25,000 deductible. The state fund can only be used when the deductible has been met.

You do not need to complete the "Name of Issuer", "Amount of Coverage" or "Period of Coverage" categories for the state fund (#1) if you choose this mechanism.

IV. Certification

Line 1 - Indicate if the party that has obtained financial assurances is the UST owner or operator.

Line 2 - The Certification of Financial Responsibility must be signed and dated by the party (from line 1) that has obtained financial assurances.

Line 3 - Provide the name of the party from line 2.

Line 4 - Provide the title of the party from line 2.

Line 5 - The Certification of Financial Responsibility must be signed and dated by a witness or notary.

Line 6 - Provide the name of the witness or notary from line 5.

OFFICE MECHANICS AND FILING:

After completing the form, send to:

Bureau of Land & Waste Management
Underground Storage Tank Program
SC Department of Health and Environmental Control
2600 Bull Street
Columbia, South Carolina 29201-1708

The owner and operator should retain a copy of the completed form.